

## REMARKS

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “establishing a first polling rate for the first wireless device, wherein the first polling rate allocates at least a first of the plurality of allocated transmission slots to the first wireless device; polling the first wireless device according to the established first polling rate; recording upload activity by the first wireless device in response to the polling; and allocating a first of the plurality of unallocated transmission slots to the first wireless device based upon the recorded upload activity” as set forth in claim 1.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “determining a first priority factor for a first wireless device, the first priority factor based upon an amount of data uploaded by the first wireless device to an access point during a first of the plurality of allocated transmission slots; determining a second priority factor for a second wireless device, the second priority factor based upon an amount of data uploaded by the second wireless device to the access point during a second of the plurality of allocated transmission slots; comparing the first priority factor and the second priority factor; identifying the first wireless device as a priority wireless device based upon the comparison; and allocating a first of the plurality of unallocated transmission slots to the priority wireless device” as set forth in claim 6.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “a processor; a storage device; and a plurality of instructions stored within the storage device, the plurality of instructions configured to cause the processor to: establish a first polling rate for the first wireless device, wherein the first polling rate allocates at least a first of the plurality of allocated transmission slots to the wireless device; poll the first wireless device according to the first polling rate; record upload activity by the first wireless device in response to the polling; and allocate a first of the plurality of unallocated transmission slots to the first wireless device based upon the recorded upload activity” as set forth in claim 10.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “means for determining a first priority factor for a first wireless device, the first priority factor based upon an amount of data uploaded by the

first wireless device to an access point during a first of the plurality of allocated transmission slots; means for determining a second priority factor for a second wireless device, the second priority factor based upon an amount of data uploaded by the second wireless device to an access point during a second of the plurality of allocated transmission slots; means for identifying as a priority wireless device one of the first wireless device and the second wireless device based upon comparison of the first priority factor and the second priority factor; and means for allocating a first of the plurality of unallocated transmission slots to the priority wireless device” as set forth in claim 13.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “a prioritizer; and a priority storage device connected to the prioritizer, wherein the prioritizer changes a priority of the wireless device based on a measure of upload activity from the wireless device” as set forth in claim 16.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “receiving a first polling signal from an access point; responding to the first polling signal during a first allocated transmission slot by uploading a first amount of data; receiving a second polling signal from the access point, wherein the second polling signal corresponds to the first amount of data uploaded; uploading a second amount of data to the access point responsive to the second polling signal from the access point” as set forth in claim 19.

Applicants respectfully submit that the documents made of record, taken alone or in combination, fail to fairly describe, teach or suggest “receiving a first polling signal from an access point; responding to the first polling signal during a first allocated transmission slot by uploading a first set of data and an indicator that indicates that a communication link should be lowered in priority; receiving a second polling signal from the access point, wherein the second polling signal is responsive to the indicator; uploading a second set of data to the access point responsive to the second polling signal from the access point.” as set forth in claim 21.

Applicants respectfully submit that the Examiner’s Statement might imply that the dependent claims are only allowable because they depend from allowed independent claims. However, the Examiner’s Statement does not discuss any of the other elements of the claimed subject matter, in particular, those additional elements recited in the dependent claims which

may render the dependent claims independently allowable in view of the specification, prosecution file history and/or the documents made of record, either alone or in combination.

Applicants respectfully submit that the Examiner's Statement presents only some of the reasons for allowance of the claims, and that other reasons also exist for allowing the claims such as, for example, those set forth more completely in the record as a whole. This interpretation is consistent with M.P.E.P. § 1302.14, which states that any statement of reasons for allowance "[i]s not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state all the reasons for allowance are set forth." M.P.E.P. § 1302.14.

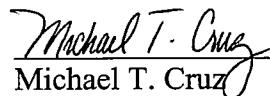
Finally, Applicants agree with the Examiner that claims 1-22 are allowable in view of all of the documents made of record, either alone or in combination. However, Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. In closing, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, or the characterization of the recited claim elements should that need arise in the future.

If the Examiner has questions, or if Applicants can be of assistance, the Examiner is invited and encouraged to contact Applicants' representative at the below-listed telephone number.

The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

  
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